



COUNCIL MINUTES

February 22, 2010

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 22, 2010 at 5:45 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Pastor Tony Frazee, Gateway Bible Church.

Pledge of Allegiance was led by Scout Justin Alston, Troop #457.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Awards, Recognitions and Announcements – None.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

Mayor Smith announced that agenda item 2.1 has been removed from the consent agenda.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Somers, that the consent agenda items, with the exception of item 2.1, be approved.

Carried unanimously.

*2. Approval of minutes of previous meetings as written.

Minutes from the January 14, 21 and 25 and February 8, 2010 Council meetings.

2.1 Take action on appointing Jennifer Ruttman as the Council-appointed City Auditor at an annual salary of \$115,000 with executive benefits including 14 vacation hours per month.

Mayor Smith invited Jennifer Ruttman to come forward and introduce herself.

Ms. Ruttman said that she has been with the City of Mesa Audit Department for thirteen years, starting as an Internal Auditor II and progressing over the years to assume more complex responsibilities. She stated that in addition to completing internal audits, the Audit Department conducts special investigations through the fraud and ethics hotline and consults with City departments as needed regarding the establishment of internal controls.

Mayor Smith stated that he appreciated her service as Interim City Auditor since the retirement of Gary Ray. He said that other staff members speak highly of Ms. Ruttman and cite her integrity, impartiality and efficiency. Mayor Smith noted that as the result of a voter-approved Charter amendment several years ago, which was based on a recommendation of the Financing the Future Committee, the position of City Auditor reports directly to the City Council.

It was moved by Councilmember Somers, seconded by Vice Mayor Jones, that the appointment of Jennifer Ruttman to the position of City Auditor at an annual salary of \$115,000 with executive benefits including 14 vacation hours per month be approved.

Carried unanimously.

3. Take action on the following liquor license applications:

*3a. Arizona Museum of Natural History Foundation

This is a one-day charitable event to be held on Saturday, March 6, 2010 from 6:30 p.m. to 10:30 p.m. at 53 N. Macdonald. **(District 4)**

*3b. Neighborhood Economic Development Corporation

This is a one-day civic event to be held on Friday, March 5, 2010 from 6:00 p.m. to 10:00 p.m. at 1 to 270 W. Main Street. **(District 4)**

*3c. Shanty Community Services

This is a one-day charitable event to be held on Saturday, February 27, 2010 from 7:00 p.m. to 1:00 a.m. at 1940 E. Main Street. **(District 2)**

*3d. Ultimate Imaginations Inc.

This is a two-day charitable event to be held Friday, March 12, 2010 from 6:00 p.m. to 9:00 p.m. and Saturday, March 13, 2010 from 10:00 a.m. to 9:00 p.m. at Macdonald and Pepper Place. **(District 4)**

*3e. Bashas 14

Location to Location Transfer of a Liquor Store License for Bashas 14, 1954 E. McKellips Road, Bashas Inc. – Michael Joseph Basha, Agent. This location presently has a Liquor Store License under Bashas Inc. that will revert back to the State. **(District 1)**

*3f. Beer World

New Beer & Wine Store License for Beer World, 1530 N. Country Club Drive, Suite 20, Zipster LLC – David John Ziupsnys, Agent. This location presently has a Beer & Wine Store License under AWRP LLC that will revert back to the State. **(District 1)**

4. Take action on the following bingo application:

*4a. BINGO – CLASS A

St. Bridget Catholic Church **(District 5)**
Lisa Brennan
2213 N. Lindsay Road
Mesa, AZ 85213

5. Take action on the following contracts:

*5a. Purchase of a New Bomb Robot for the Police Department (Fully Funded by Federal Homeland Security Grant Program, FY 09/10 Urban Area Security Initiative Grant) **(Sole Source) (Citywide)**.

The Purchasing Division recommends accepting the sole source bid from ICOR Technology, Inc. at \$69,030.72, including applicable use tax.

*5b. Purchase of Two (2) New Chemical Identification Kits for the Fire Department (Fully Funded by Federal Homeland Security Grant Program, FY 09/10 Urban Area Security Initiative Grant) **(Citywide)**.

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, Fisher Safety at \$158,400.00, including applicable use tax.

*5c. Purchase of Two (2) Replacement Hybrid Automated Side-Loading Refuse Trucks for the Solid Waste Management Department **(Citywide)**.

The Purchasing Division recommends authorizing purchase from the lowest, responsible and responsive bidder, Rush Truck Center at \$605,513.97, including applicable sales tax.

- *5d. Purchase of Four (4) New DNA Liquid Handling Instruments for the Police Department (Fully Funded by the National Institute of Justice Solving Cold Cases with DNA Grand and Arizona Criminal Justice Commission Forensics DNA Backlog Grant) **(Sole Source) (Citywide)**.

The Purchasing Division recommends awarding the contract to sole source bidder, Qiagen, Inc. at \$143,328.77, including applicable use tax.

- *5e. Contract for Slide Gates, Sludge Plug and Miscellaneous Valve Work for the Water Resources Department **(Citywide)**.

The Purchasing Division recommends awarding the contract to the highest scored proposal, Currier Construction, Inc. at \$583,857.00.

- *5f. Term Contract for Sodium Hypochlorite for the Water Resources Department **(Citywide)**.

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, HASA Inc. at \$315,400.00 annually, based on estimated requirements.

- *5g. Purchase of One (1) Replacement Armored S.W.A.T. Vehicle for the Police Department (Fully Funded by the Federal Homeland Security Grant Program, FY 09/10 Urban Area Security Initiative Grant) **(Citywide)**.

The Purchasing Division recommends authorizing purchase from the lowest, responsible and responsive bidder, The Armored Group at \$248,154.72, including applicable use tax.

- *5h. Waste Water Manhole Rehabilitation Phase VIII **(Districts 1, 2, 5 and 6)**.

City Project No. 01-476-008. This project will rehabilitate seventy-nine (79) deteriorated manholes by installing a new protective coating.

Recommend award to the low bidder, Cactus Coyote Contracting L.L.C., in the amount of \$551,530, plus an additional \$51,153 (10% allowance for change orders) for a total award of \$562,683. Funding is available in the approved FY 09/10 Wastewater Capital Bond Program.

- *5i. Santan Freeway ITS Fiber Backbone **(District 6)**.

City Project No. 05-037-001. This project will install fiber optic cables, Ethernet communication equipment, provide connections to existing traffic signal controllers, and provide closed-circuit television cameras that are connected to the City's Transportation Management Center.

Recommend award to the low bidder, JK Communications & Construction Inc., dba Kleven Construction, in the amount of \$242,422, plus an additional \$24,242.20 (10% allowance for change orders) for a total award of \$266, 664.20. Funding is available in the adopted FY 09/10 Streets Capital Bond Program.

- *5j. Wastewater Lift Station at Police Department, 130 N. Robson **(District 4)**.

City Project No. 09-933-001. This project will install a new fiberglass wastewater lift station liner with a screen to filter out larger materials from the wastewater flow, new piping, and new lift station cover. Installation of this equipment will protect newly installed pumps from debris and extend their useful life.

Recommend award to the low bidder, Jay Pacific Corporation, in the amount of \$36,501.00, plus an additional \$3,650.10 (10% allowance for change orders) for a total award of \$40,151.10. Funding is available in the adopted FY 09/10 Facilities Maintenance budget.

6. Take action on the following ordinance and liquor license application:

- *6a. **Z10-01 (District 2)** 2639 East Broadway Road, Suite 105. Located west of Lindsay Road and south of Broadway Road (3,000+ sq. ft.). Council Use Permit. This request will allow an existing restaurant to operate with 30% of its gross revenue coming from food sales in association with a "Grill" liquor license. Michael Pollack, owner; Kimberly Guethle, Simpleton's Restaurant, applicant – Ordinance No. 4971.

P&Z Recommendation: Approval with conditions. (Vote: 7-0).

- *6b. Take action on the following liquor license application:

Simpletons

Series 12 Continuation License for Simpleton's, 2639 E. Broadway Road, Suite 105, Menu Properties LLC – Kimberly Guethle, Agent. This location presently has a Restaurant License under Menu Properties LLC that will revert back to the State for modification. **(District 2)**

7. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *7a. **Z10-03 (District 6)** 6560 South Mountain Road. Located north of Pecos Road on the west side of Mountain Road (8.7± acres). Rezone from AG to M-2, Council Use Permit and Site Plan Modification. This request will allow the expansion of an existing industrial development. MGC Pure, owner; Aaron Goodmansen, applicant – Ordinance No. 4972.

P&Z Recommendation: Approval with conditions. (Vote: 7-0).

8. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the meeting adjourned at 5:56 p.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 22nd day of February 2010. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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